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PAPER NO. 6



**U.S. DEPARTMENT OF COMMERCE
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[Springer Art Unit 122
01/02/82 344982
Hugh Cairas, et, al.,]

MAILED MAILED:
JUL 28 1983
GROUP 120

Basil P. Mann
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Two First Natl, Plaza
Chicago, IL 60603

THIS IS A COMMUNICATION FROM THE EXAMINER
IN CHARGE OF YOUR APPLICATION.

COMMISSIONER OF
PATENTS AND TRADEMARKS

☐ This application has been examined.

☒ Responsive to communication filed on 3-14-82.

☐ This action is made final.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE 3 MONTH(S)
 DAYS FROM THE DATE OF THIS LETTER.

FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED-
35 U.S.C. 133

PART I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited, Form PTO-892. | 2. <input type="checkbox"/> Notice of Informal patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 | 4. <input type="checkbox"/> |

PART II SUMMARY OF ACTION

1. ☒ Claims 17-23 + 10-13 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☒ Claims _____ are allowed.
4. ☒ Claims 17-23 + 10-13 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ The formal drawings filed on _____ are acceptable.
8. ☐ The drawing correction request filed on _____ has been ☐ approved, ☐ disapproved.
9. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received, ☐ not been received. ☐ been filed in parent application; serial no. _____ filed on _____
10. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11 453 O.G. 213.
11. ☐ Other

Serial No. 344982

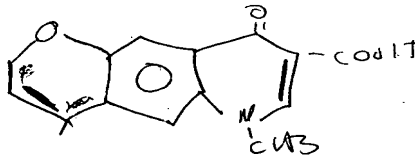
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Art Unit 122

If the ~~art~~^{out} set it is noted that if claim 15 and 16 were not canceled the allowance thereof would be withdrawn, consequently the rejection of ~~new~~^{new} claims 22 and 23 is proper.

Claims 10-13, 17-23 are rejected as claims 1-14 were previously rejected under 35 USC 103 as unpatentable^M over Albrecht et al and Yamaguchi in view of Connor et al for the reasons set forth in the previous Office action.

Applicants contention that a reference not applied (Hall) is the closest prior art is not understood. The affidavit is admittedly only directed to the Hall compound. If it is noted Yamaguchi², has this position isomer,



of the 2- carboxy compounds claimed. Surely a showing at least over this compound is required to establish patentability.

Springer:cvm

A/C 703

557-3032

5/16/83

David B. Springer
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EXAMINER
ART UNIT 122